

July 2, 2003 BZA



REQUEST ANALYSIS
AND
RECOMMENDATION

03AN0282

Leonard Reyes

Bermuda Magisterial District
2809 Brampton Way

- REQUESTS: I. An eleven (11) foot Variance to the thirty (30) foot front yard setback requirement for an existing dwelling.
- II. A 12.1 foot Variance to the sixty-three (63) foot front yard setback requirement for an existing garage.

RECOMMENDATION

Recommend approval of these requests for the following reasons:

- A. Variance will not impair the character of this area.
- B. Variance will not reduce or impair the value of the buildings or property in the surrounding area.

CONDITION

This Variance shall be for the existing dwelling and garage as depicted on the plat attached to staff's report.

GENERAL INFORMATION

Location:

Property is located at 2809 Brampton Way. Tax ID 788-689-9130 (Sheet 12).

Existing Zoning:

R-7

Size:

.3 acre

Existing Land Use:

Residential

Adjacent Zoning and Land Use:

North - R-7; Residential

South - R-7; Residential

East - R-7; Residential

West - R-7; Residential

Utilities:

Public water and sewer

General Plan:

(Jefferson Davis Corridor Plan)

Residential
(2.51 – 4 units per acre)

DISCUSSION

The applicant has indicated the existing dwelling is located 19.77 feet from the front property line (see attached site plan). The Zoning Ordinance requires a thirty (30) foot front yard setback. Therefore, the applicant requests an eleven (11) foot Variance. Also, the applicant has indicated the existing garage is located 50.94 feet from the front property line (see attached site plan). The Zoning Ordinance requires a sixty-three (63) foot setback. Therefore, the applicant requests a 12.1 foot Variance.

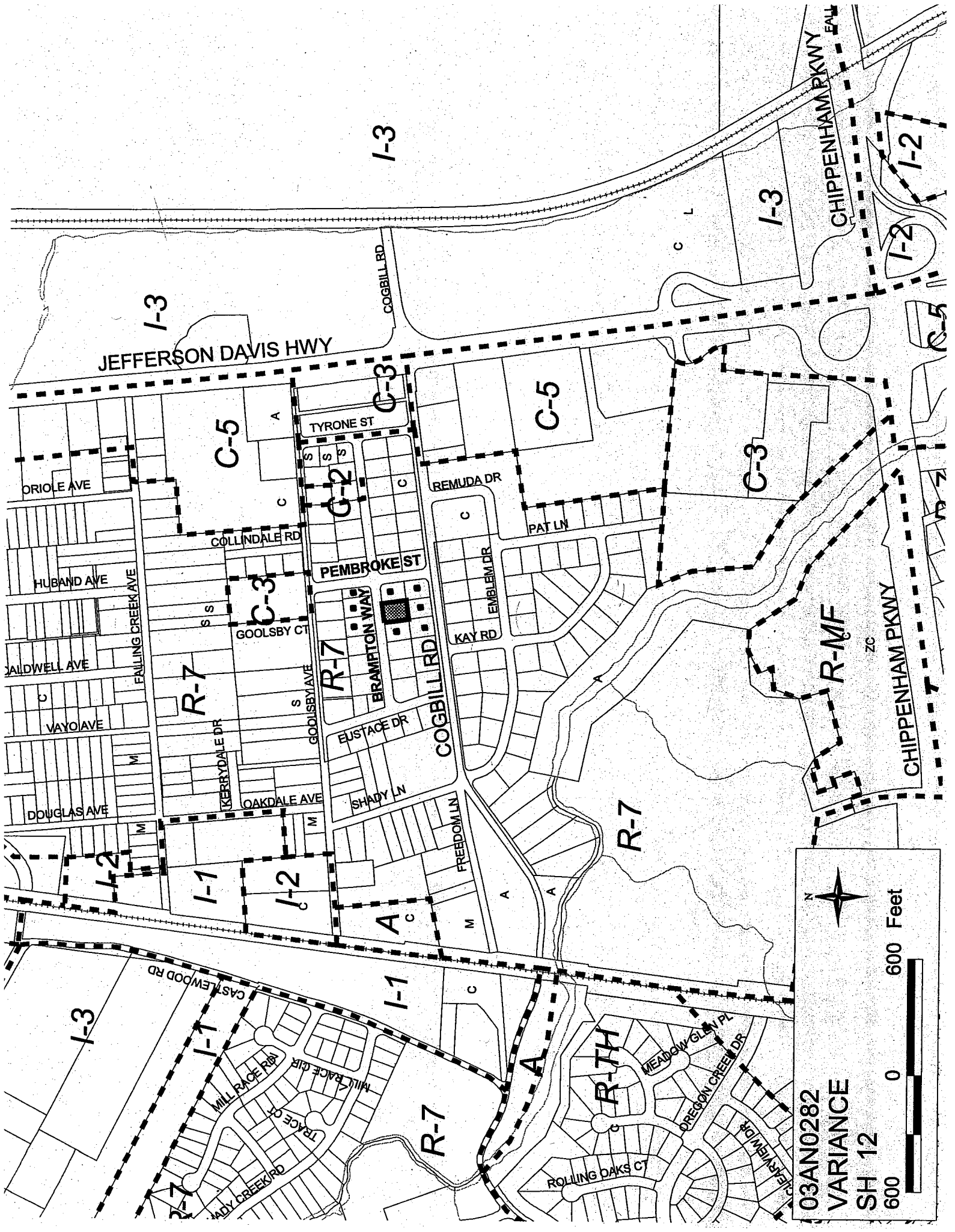
The applicant provides the following justification in support of these requests:

These structures have been in existence for decades, we believe since the 1940's and are in keeping with the existing neighborhood. We believe there are other homes in the neighborhood with the same setback problems. We are simply trying to correct a mistake that was made in the 1940's. Also, the applicant is not the original owner of the property. We were unaware of the setback violation when we bought the property in May of 2002.

Staff has reviewed the attached site plan and the applicant's requests. Staff notes the dwelling was built in the 1940's. The garage was built some time after the dwelling. Both the dwelling and the garage were built in violation of the front yard setback requirements.

Staff believes that the requests for the existing dwelling and garage will not reduce or impair the value of the dwellings or property in the area.

Staff visited the site which is located in the Dupont Square Subdivision. Staff believes it would create a hardship for the applicant to have the dwelling or the garage or part of the dwelling or the garage removed. Therefore, staff recommends approval of these requests subject to the aforementioned condition.



03AN0282
VARIANCE
SH 12

600 0 600 Feet

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